

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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John Payne,

Civ. No. 15-0506 (PJS/BRT)

Plaintiff,

v.

**ORDER**

City of White Bear Lake, Minnesota,

Defendant.

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The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Becky R. Thorson dated February 27, 2015. No objections have been filed to that Report and Recommendation in the time period permitted. Based on the Report and Recommendation of the Magistrate Judge, on all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

**IT IS HEREBY ORDERED** that:

1. This action is **DISMISSED WITHOUT PREJUDICE** for lack of subject-matter jurisdiction; and

2. Payne's application to proceed *in forma pauperis* (Doc. No. 2) is **DENIED**.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Date: 3/18/15

*s/Patrick J. Schiltz*

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PATRICK J. SCHILTZ

United States District Judge